

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	Civil No. 2:24-cv-00133
)	
1039 ECHOLS DRIVE, FRISCO,)	
TEXAS, 75306,)	
)	
Defendant.)	

**UNOPPOSED MOTION FOR ISSUANCE OF AN ORDER
OF FORFEITURE AND JUDGMENT**

Pursuant to a Stipulation and Settlement Agreement (hereinafter, the “Settlement Agreement”), the United States of America (hereinafter, the “United States”) moves for issuance of an Order of Forfeiture and Entry of Judgment for 1039 Echols Drive, Frisco, Texas, 75306 (hereinafter, the “Real Property”) (proposed Order attached). The United States also requests the Court to sign the “So Ordered” line on the attached proposed Settlement Agreement.

I. SUMMARY OF SETTLEMENT AGREEMENT AND PROCESS

As described more fully in the Settlement Agreement, the parties to this matter, the United States (plaintiff), and Feng Chen and Tianqiong Xu (claimants/owners) have reached a Settlement Agreement. The Settlement Agreement is intended to achieve the sale of the Real Property as soon as possible so that the profits of the sale may be maximized for the benefit of all parties.

Under the terms of the settlement, claimants Feng Chen and Tianqiong Xu (hereinafter, the “Claimants”) have consented to the forfeiture of the Real Property to the United States. The United

States Marshals Service (hereinafter, the “USMS”) will be responsible for facilitating the sale of the Real Property. A proposed sale is pending at this time.

II. PROCEDURAL HISTORY

1. On February 8, 2024, the United States filed a Verified Complaint for Civil Forfeiture *In Rem* against the defendant real property commonly known as 1039 Echols Drive, Frisco, Texas, with all appurtenances and improvements thereon (“the Property”), alleging that the Property was purchased with funds that constitute proceeds of a “pig butchering” fraud scheme or were involved in the commission of a fraudulent offense, in violation of Title 18, United States Code, Sections 1956 (laundering of monetary instruments and conspiracy to commit money laundering) and 1957 (engaging in monetary transactions in property derived from specified unlawful activity), and therefore is subject to civil forfeiture under 18 U.S.C. §§ 981(a)(1)(A), 981(a)(1)(C), and 19 U.S.C. §§ 1602 et seq. by 18 U.S.C. § 981(d).

2. On February 22, 2024, the Notice of the Verified Complaint of Forfeiture was recorded in the City of Frisco Land Records pertaining to 1039 Echols Drive, Frisco, Texas, 75306 with all appurtenances and improvements thereon, more fully described as Lot 5, Block D, WINDROSE AT PHILLIPS CREEK RANCH, a division of the city of Frisco, Denton County, Texas, according to the Plat thereof, recorded in volume 2013, page 337, Plat Records, Denton County, Texas;

3. The Notice of Forfeiture Action was posted on an official Internet government forfeiture site (www.forfeiture.gov) for 30 consecutive days, beginning on February 13, 2024 and ending on March 13, 2024 as ordered by this Court.

4. On February 23, 2024, the Claimants received by email the Verified Complaint of Forfeiture and Notice of Judicial Proceedings.

5. On March 25, 2024, the Claimants, by their attorney F. Clint Broden, Esq., filed a Verified Claim to the defendant property. The parties have entered a Settlement Agreement in lieu of the Claimants filing an Answer.

6. No other party has made a claim to or declared an interest in the Real Property, the parties are not aware of any other party that would have a claim or interest in the Real Property, and the time for filing such a claim has expired pursuant to Rule G(5)(a)(ii) and (b) of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions in the Federal Rules of Civil Procedure.

7. Counsel for the Claimants does not object to the proposed order.

III. CONCLUSION

Pursuant to the Settlement Agreement, the United States moves this Court for an Order of Forfeiture and Judgment declaring the Real Property forfeited as to all parties and vesting full right, title, and interest to the United States and directing the USMS to dispose of the Real Property in accordance with the Settlement Agreement (proposed Order attached). In addition, the United States request the Court to sign the “So Ordered” line of the proposed Settlement Agreement.

Dated at Burlington, in the District of Vermont, April 15, 2024.

Respectfully submitted,

UNITED STATES OF AMERICA
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